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EXAMINER

DELGADO, MICHAEL A

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 08/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/813,231

Applicant(s)

CRAIN ET AL.

Examiner

Michael S. A. Delgado

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 2, 5, 17 and 19 objected to because of the following informalities: “quering” should be “querying” and “corrdinates” should be “coordinates”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6, 12-16 and 18 rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 5,951,643 by Shelton et al.

In claim 1, Shelton teaches about a method of recording browser-viewable visual stimuli, comprising (Abstract):

detecting an event “session” that may change a visual stimuli observable by a user viewing a browser interface (Col 2, lines 10-30);

assigning an identification (ID) “session ID” to the event (Col 5, lines 1-10);
evaluating the event to determine if the event does change the visual stimuli “monitoring activities” (Col 2, lines 10-30); and

storing at least a parameter (Col 2, lines 10-30).

In claim 2, Shelton teaches about a method of claim 1 further comprising querying at least one parameter (Col 2, lines 20-25). This is covered in the monitoring process.

In claim 3, Shelton teaches about a method of claim 1 wherein the ID is an alphanumeric string (Fig. 6) (Col 10, lines 10-20).

In claim 6, Shelton teaches about a method of claim 1 further comprising determining the area of online content (Col 14, lines 45-65).

In claim 12, Shelton teaches about a method of claim 1 further comprising creating an event object (changing the name in the name field)(Col 14, lines 45-65).

In claim 13, Shelton teaches about a method of claim 1 further comprising creating a screen image object (Col 14, lines 45-65).

In claim 14, Shelton teaches about a method of claim 1 further comprising recording an event object parameter (Abstract).

In claim 15, Shelton teaches about a method of claim 13 further comprising a screen-image object parameter (Col 14, lines 45-65).

In claim 16, Shelton teaches about a method of claim 16 further comprising querying at least one parameter (Col 14, lines 45-65).

In claim 18, Shelton teaches about a Memory in a computer system that maintains data capable of transforming a computer system into a visual stimuli recording system, by (Abstract):

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detecting an event that may change a visual stimuli observable by a user viewing a browser interface (Col 2, lines 10-30) (Col 4, lines 15-30);

assigning an identification (ID) to the event (Col 5, lines 1-10);

evaluating the event to determine if the event does change the visual stimuli (Col 2, lines 10-30); and

storing at least a parameter (Col 2, lines 10-30).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-5, ~~8~~-11, 17 and 19 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,951,643 by Shelton et al in view of US Patent No. 6,456,305 by Qureshi et al.

In claim 4, Shelton teaches all the limitation but does not explicitly teach about a method of claim 1 further comprising determining the location and area of a primary browser window, by calculating a display area and measuring the display area.

The knowledge of determining the location of a browser and its parameter is well known in the art, and is used in application in which the same display is viewed by different display

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unites. The difference in shape and size of the display unites, requires a refitting process in which the original image parameter is determined. Qureshi invention discloses a method and system for automatically fitting a graphical display of objects to the dimensions of a display window. Qureshi disclosed, determining the parameter of a default page in order to refit the page to a different display device (Col 4, lines 50-67). It would have been obvious to some one of ordinary skill at the time of the invention to determine the parameter of a browser window in order to resize the window to a form that best fit a display unite.

Display unites come in all form and shape and in order to make an effective presentation, like in advertisement, it is important to known the original dimension of the browser window. With this knowledge, the browser window will be reshape with the display unite in mind.

In claim 5, Shelton and Qureshi combined, teaches about a method of claim 4 wherein the act of measuring measures horizontal size, vertical size, and locates the two-dimensional coordinates of at least a corner of a primary browser window as immediately displayed in the display area (Fig 2).

In claim 7, Shelton and Qureshi combined, teaches about a method of claim 6 wherein determining:

positions a browser window upon online content with a (0,0) offset (Qureshi Col 9, line 55- Col 10, line 5);

determines an offset (Qureshi Col 9, line 55- Col 10, line 5).

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In claim 8, Shelton and Qureshi combined, teaches about a method of claim 1, further comprising calculating a child web page boundary of a child web page (Covered in claim 4). This is applying the same principle on a smaller scale.

In claim 9, Shelton and Qureshi combined, teaches about a method of claim 8 wherein calculating determines the size of the child web page (Covered in claim 4).

In claim 10, Shelton and Qureshi combined, teaches about a method of claim 8 wherein calculating determines the two dimensional location of at least one child window (Covered in claim 4).

In claim 11, Shelton and Qureshi combined, teaches about a method of claim 8 wherein calculating determines the two-dimensional offset of online content (Qureshi Col 9, line 55- Col 10, line 5).

In claim 17, Shelton and Qureshi combined, teaches about a method of claim 16 further comprising determining the location and area of a primary browser window, by (Covered in claim 4):

calculating a display area (Covered in claim 4);

measuring the display area, and wherein the act of measuring measures horizontal size, vertical size, and locates the two-dimensional coordinates of at least a corner of a primary browser window as immediately displayed in the display area (Covered in claim 4).

In claim 19, Shelton and Qureshi combined, teaches about a memory in the computer system of claim 18, further comprising:

querying at least one parameter (Covered in claim 4);

determining the location and area of a primary browser window, by:

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calculating a display area (Covered in claim 4);
measuring the display area; and wherein
the act of measuring measures horizontal size, vertical size, and locates the two-dimensional coordinates of at least a corner of a primary browser window as immediately displayed in the display area (Covered in claim 4).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,263,365 by Scherpbier teaches about a browser controller.


US Patent No. 6,035,332 by Ingrassia, Jr et al., teaches about a method for monitoring user interactions with web pages from web server using data and command lists for maintaining information visited and issued by participants.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is 703-305-8057. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (703)308-3873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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